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<b>ATTORNEYS AT LAW</b>

Docket No.: 204060US0PCT

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

RE: Application Serial No.: 09/763,864  
Applicants: Masahide SATO, et al.  
Filing Date: May 23, 2001  
For: METHOD OF MAKING FERMENTATION  
PRODUCT  
Group Art Unit: 1761  
Examiner: C. E. Sherrer

SIR:

Attached hereto for filing are the following papers:


**Substitute Amendment**

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Norman F. Oblon

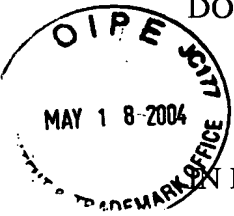
  
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DOCKET NO: 204060US0PCT



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :

MASAHIDE SATO, ET AL. :

EXAMINER: SHERRER, C. E.

SERIAL NO: 09/763,864 :

FILED: MAY 23, 2001 :

GROUP ART UNIT: 1761

FOR: PROCESS FOR PRODUCING  
FERMENTATION PRODUCT :

SUBSTITUTE AMENDMENT

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the notice of May 11, 2004, this Substitute Amendment is identical to the Amendment filed April 30, 2004, except that the claim status identifiers "Previously Pending" have been replaced by "Previously Presented".

In response to the Office Action dated December 31, 2003, please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 6 of this paper.